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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-third session

SUMMARY RECORD OF THE 1292nd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 August 1998, at 3 p.m.

Chairman: Mr. SHERIFIS

CONTENTS

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (continued)

Ninth to thirteenth periodic reports of Nepal

CONSIDERATION OF COPIES OF PETITIONS, COPIES OF REPORTS AND OTHER INFORMATION RELATING TO TRUST AND NON-SELF-GOVERNING TERRITORIES AND TO ALL OTHER TERRITORIES IN WHICH GENERAL ASSEMBLY RESOLUTION 1514 (XV) APPLIES, IN CONFORMITY WITH ARTICLE 15 OF THE CONVENTION (continued)

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GE.98-17602 (E)

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 4) (continued)

Ninth to thirteenth periodic reports of Nepal (CERD/C/298/Add.1; HRI/CORE/1/Add.42)

1. At the invitation of the Chairman, Mr. Ram Simkhada and Mr. Prasad Kattel (Nepal) took places at the Committee table.

2. The CHAIRMAN welcomed the delegation of Nepal and invited Mr. Ram Simkhada to introduce his country's report.

3. Mr. RAM SIMKHADA (Nepal) said that his delegation, which had submitted a short report to the Committee in March 1998, had then announced that a document would be submitted containing the ninth, tenth, eleventh, twelfth and thirteenth periodic reports of Nepal.

4. Nepal had undergone a major political transformation in 1990 as a result of the People's Movement and was now a constitutional democratic monarchy. The new Constitution now vested sovereignty in the people for the very first time, guaranteed basic human rights to every citizen, consolidated the institution of adult franchise, created a constitutional monarchy and a system of multi-party democracy and established an independent and competent judiciary with a view to making the rule of law a reality in Nepal.

5. The election by secret ballot of the 205 members of the House of Representatives had taken place for the first time in 1991, in accordance with the Constitution. After having experienced different forms of government, Nepal was now led by a coalition government under the Nepali Congress Party. The changes of government had taken place in accordance with the provisions of the new Constitution.

6. The Constitution, which sought to protect all the rights provided for in the Convention, stated that there was no discrimination against any citizen on the grounds of religion, race, sex, caste, tribe or ideological conviction (part III) and guaranteed the right to apply for a constitutional remedy. Any discrimination against untouchables, denial of access to public places or deprivation of the use of public services were punishable by law.

7. Although the Constitution officially designated Nepal as a Hindu kingdom, some of its provisions guaranteed that there was no discrimination against other religions. The right of every person to profess and practise his own religion handed down from ancient times was protected and all languages spoken in Nepal were recognized as national languages.

8. The change in the political system had been accompanied by many challenges, but also by opportunities for the consolidation of democracy and the institutionalization of human rights. The country did not yet have the technical, human and material resources needed to deal adequately with the growing expectations of the people. Many difficulties were also linked to long-standing traditions and attitudes did not change overnight. Although

poverty was the main obstacle, the Government's difficulties were being further aggravated by the acts of violence and terror committed by opponents of the regime who refused to take part peacefully in the political process. The Government was trying in vain to bring those elements into the democratic and multi-party political mainstream and regularly invited them to engage in the dialogue.

9. Despite the problems, the Government had taken many legislative, administrative and other measures to give effect to the rights provided for in the Convention and promote human rights. A number of legislative provisions had been repealed or amended, while some acts and regulations had been adopted to bring Nepalese law and policy into line with the provisions of the Convention.

10. The Foreign Affairs and Human Rights and Population and Social Committees of the Parliament were working to promote education, culture, health and the social welfare of the population. The independence of the judiciary was guaranteed by the existence of the Constitutional Council, which was responsible for appointing the Chief Justice and the Judicial Council, which appointed other judges and regulated the activity of judges and other persons responsible for the administration of justice.

11. In 1997, the Government had enacted the Human Rights Commission Act and the Compensation for Torture Act. It had set up new ministries, such as the Ministry of Women and Social Welfare, the Ministry of Labour and the Ministry of Sports, Youth and Culture, whose work was designed to improve the situation of human rights in the country. The Eighth Development Plan and the subsequent annual budgets focused on poverty alleviation and the improvement of the situation of the most vulnerable groups. The Government had encouraged NGOs, INGOs and other institutions of civil society to make that their priority.

12. Recognizing that no society today could claim perfection in the field of human rights was painful, but it could also be seen as a challenge to be taken up by everyone. The Government of Nepal was energetically working to promote the ideals of human rights and protect the rights of citizens and expressed its appreciation to all those who supported it in its efforts. In that connection, he appealed to the international community to show greater understanding for Nepal, which still had to overcome major socio-economic and political obstacles. His delegation was at the disposal of the members of the Committee to answer any questions they might wish to ask.

13. Mr. NOBEL (Country Rapporteur) welcomed the resumption of the dialogue between Nepal and the Committee, which had been interrupted since March 1987. The report submitted by the country's new democratic authorities was well designed and interesting, even though some of the information provided did not relate directly to the implementation of the Convention.

14. The human rights situation in Nepal was still a matter of concern, as shown by the reports published by Amnesty International and other reliable NGOs. Cases of torture, executions and arbitrary detentions, enforced or involuntary disappearances, violations of the rights of women and children,

particularly girls, exploitation and child prostitution were very serious matters of concern. However, racial discrimination as such did not appear to be a dominant factor in Nepalese society.

15. The report under consideration provided interesting demographic data, especially in paragraph 20. In that connection, he asked whether a clear-cut distinction was made between caste people, who accounted for 56.2 per cent of the total population (para. 23 of the report), and, for example, non-Hindu groups. In which sectors of society was untouchability still practised?

16. With regard to the country's legal framework, the members of the Committee would be grateful if the delegation of Nepal could provide details on the links between the Muluki Ain (National Code) 1963, the 1990 Constitution and internal law, on the one hand, and between the international treaties ratified by the country and national legislation, on the other.

17. In connection with the implementation of the Convention, the Committee had not concealed its disappointment, in the report it had submitted to the forty-second session of the General Assembly, about the reservation Nepal had made to article 4 of the Convention and had strongly urged the authorities to withdraw that reservation in order to give full effect to the provisions of article 4. Since then, the reservation had not been withdrawn.

18. Paragraphs 33, 38, 40, 41, 50 and 51 of the report described in detail the role of the Supreme Court, but said nothing about the functions of lower courts in trying cases of racial discrimination. The courts had reacted to a rise in public interest litigation by responding effectively to petitions brought by representatives of disadvantaged groups, as stated in paragraph 51 of the report, but what exactly did that procedure involve? How did the legal aid system work (para. 54) and how was it funded? The Committee would also like to know how the provisions referred to in paragraph 50 of the report were reflected in practice and how citizens could claim compensation in the event of discrimination based on ethnic grounds by filing a petition in the Supreme Court.

19. Paragraph 46 described a number of measures taken by members of Parliament and he asked whether such measures could replace legislative activities. It must also be noted that no criminal legislation had been adopted to give effect to the specific provisions of the Convention, despite the recommendation made by the Committee in its report to the forty-second session of the General Assembly. What were the powers of the new Human Rights Commission, what was its status and how was it funded?

20. The Committee was happy to learn that the report would be made available to the people of Nepal through the Ministry of Women and Social Welfare (para. 76 of the report) and he wished to know whether the Committee's conclusions could also be made public.

21. It was regrettable that no measures had been taken to implement the provisions of article 2, paragraph 1 (c), of the Convention (repeal of any laws and regulations which had the effect of creating or perpetuating racial discrimination wherever it existed). Even if the Supreme Court was

responsible for deciding what discriminatory provisions of Nepalese law should be repealed, the Committee would like to know how the Government was fulfilling its obligations under article 2 of the Convention. What was the "Kamaiya" system (para. 81 of the report)? Paragraph 82 also required further explanation.

22. With regard to article 4 of the Convention, to which the Committee attached particular importance, the provisions described in paragraphs 84 to 86 of the report were quite inadequate. Had any convictions been handed down under section 10 A of the Muluki Ain (National Code) 1963, which appeared to protect only caste people and untouchables from discrimination? The 1995 Broadcasting Rules also called for comments by the delegation of Nepal.

23. The report provided a great deal of information on the implementation of article 5 and that contained in paragraphs 93 and 94 of the report reflected the need to strengthen legislative provisions. In that connection, he asked whether the legislation prohibiting marriages between members of different castes had been repealed by the Supreme Court in order to give effect to article 2 (c) of the Convention. He also wished to know what measures the Government of Nepal had taken to correct the imbalances created by the fact that administrative posts had been monopolized by dominant social groups at the expense of underprivileged ethnic groups (para. 125).

24. He was particularly concerned about the situation of refugees from Bhutan in Nepal, even though that problem had not been mentioned in the report. He referred to information published in the 1998 edition of Europa Year Book - Far East and Australia stating that more than 85,000 Bhutanese refugees who had arrived in Nepal in 1994 were living in camps in the districts of Jhapa and Morang. Following talks, the Governments of Nepal and Bhutan had not been able to reach an agreement on the situation of Bhutanese refugees in Nepal, who were calling for the "internationalization" of the problem. The International Movement Against All Forms of Discrimination had indicated in its publication, "CONNECT", that Bhutanese refugees were living in deplorable conditions in the refugee camps. According to many sources of information, they were being denied the exercise of their fundamental rights.

25. He would like to have the comments of the Nepalese delegation on that question and the possible solutions under consideration by the Government of Nepal.

26. Mr. VALENCIA RODRIGUEZ said that the periodic report of Nepal, which was comprehensive and contained a wealth of information, painted a picture of a multi-ethnic and multilingual country whose particular conditions, with a majority Hindu population composed of more than five ethnic groups divided into castes and living in one of the poorest countries in the world, had to be taken into account in order to determine how it was implementing the Convention.

27. He stressed the importance of the adoption of the 1990 Constitution, which protected human rights and would promote the elimination of racial discrimination, and of various provisions which would help to implement the Convention. The positive aspects that the Committee should take into account included the establishment of a democratic society based on a multi-party

system, the possibility of applying to the courts in the event of violations of the law, the statement recognizing all languages in Nepal as national languages and the efforts that the Government was making to improve the situation in respect of education, health, housing and employment. It would, however, be helpful if the Committee could have additional information on the integration and functions of the Parliamentary Foreign Affairs and Population and Social Affairs Committees and the results they had achieved in eliminating racial discrimination. He would also like further information on the Human Rights Commission set up in 1997.

28. With regard to general information, he took note with satisfaction of the activities being carried out by non-governmental organizations and of the support being provided to them by the Government. Since the report under consideration would be distributed to the organizations in question and brought to the attention of the population, he recommended that the Committee's conclusions on the report should be as well.

29. Referring to the implementation of article 2 of the Convention, he was happy to learn that the authorities were taking broad measures to guarantee the development of backward ethnic groups, which accounted for at least 16 per cent of the population. He encouraged the Government to pursue that policy and requested it to keep the Committee informed of the results it achieved.

30. As to the adoption of legislation prohibiting racial discrimination, it was his view that the Assembly and Association Act of 1949 was in keeping only with part of the purpose of article 4 of the Convention. He therefore invited Nepal to provide information on the measures it was taking to guarantee the implementation of the provisions of article 4 (a) of the Convention, particularly those relating to the dissemination of ideas based on racial superiority or hatred.

31. In connection with the implementation of article 5 of the Convention, he would like Nepal to adopt the necessary measures for the full implementation of legal provisions prohibiting the caste system. He hoped that the alarming question of the continued existence of the Deuki system, by which girls were offered to a temple (para. 99), could be analysed and discussed with the competent Committee. In any event, it would be good if the Government of Nepal could keep the Committee informed of the measures it was taking to solve that problem and others relating, for example, to the status of women in respect of inheritance.

32. Referring to the implementation of article 6 of the Convention, he noted that all the fundamental rights provided for in the Constitution could be defended and claimed in the courts. He would like the Government to inform the Committee of cases of that kind which were being handled by the courts.

33. With regard to the implementation of article 7, he said that the information provided in the report on the dissemination of the Convention in the country was interesting, but rather inadequate. He hoped that additional information would be provided in the next periodic report of Nepal, particularly on the cultural measures adopted.

34. He took note with satisfaction of the conclusion of the report (paras. 175 to 179), in which the Government of Nepal recognized that it still had a great deal to do in order fully to implement all the provisions of the Convention, despite conditions of great poverty which did not make its task any easier.

35. Mrs. ZOU said that she had taken note with satisfaction of the adoption of the 1990 Constitution, which was an important step forward. With regard to the general situation in Nepal, as described in the report, she was of the opinion that the aim should not be to draw attention to shortcomings, but, rather, to understand what was being actually done.

36. Noting that section 10 A of the Muluki Ain made it an offence punishable by a fine for any person to practise discrimination on the grounds of caste or untouchability, she requested the Nepalese delegation to indicate whether it knew of cases in which people had been brought before the courts for acts of that kind. She would also like to know how many cases of that kind had been recorded.

37. According to the report, it was difficult for children of different castes to mix together. She would like to know which places and facilities members of certain castes were prohibited from frequenting or using and whether measures against such prohibitions had been adopted.

38. With regard to the right to security of person and protection against violence or bodily harm, paragraphs 95 to 97 of the report indicated that the Constitution protected the right not to be enslaved, the right not to be treated as a serf, the right not to be forced into labour and the right not to be the subject of trafficking and that the Human Trafficking (Control) Act 1986 made the sale of human beings punishable by 15 years' imprisonment. She wished to know whether the courts had heard such cases and whether anyone had been tried for such offences. She also wished to know what measures had been taken to prevent girls belonging to minority groups from being sold into prostitution. What measures were being taken to strengthen the administration of justice and the judiciary in that regard?

39. The measures referred to in paragraph 100, which stated that the authorities had given about 10 girls an opportunity for formal education, were entirely inadequate to combat the Deuki system, as were those taken to eliminate bonded labour. She could not see how the training of 20 children of bonded labourers in five districts in the northern part of the country could lead to that result. In her opinion, that system should quite simply be prohibited. In view of the existence of the Deuki system and the caste system in Nepal, which deprived children of their fundamental rights, it was difficult to accept the statement in paragraph 32 that Nepal's record on human rights was one of the best in Asia. The Government of Nepal should first take emergency measures to abolish discriminatory systems and practices of that kind.

40. Mr. WOLFRUM said that he joined with the other members of the Committee in thanking Nepal for having resumed a dialogue with the Committee and having

submitted a stimulating report that reflected a number of positive measures. He would, however, like the Nepalese to provide the Committee with clarifications and explanations on a number of points.

41. The information on the monarchical structure of the State and the figures on ethnic groups were insufficient. Since the secular nature of Government institutions was affirmed more than once in the report, he was not sure how the statement in paragraph 16 that Nepal was formally designated as a Hindu kingdom should be understood. Were the two concepts compatible?

42. He was aware that there were different interpretations of the caste system, but some people regarded it as a means of dividing up labour, while others were of the opinion that it was not based on racial discrimination and therefore not covered by the Convention. In his own view, the caste system was based on descent and it was therefore covered by article 1 of the Convention, which prohibited any distinction, exclusion, restriction or preference based on descent. The information provided in paragraph 23, which stated that caste people constituted 56.2 per cent of the total population and that ethnic groups made up 35.5 per cent, was rather confusing because it did not indicate whether the ethnic groups in question belonged to the caste system or whether they formed a separate or lower caste. He could also not tell whether the Praja, Jirel and Chhantel referred to in paragraph 26 were backward ethnic groups or castes. He would therefore like the Nepalese delegation to provide the Committee with explanations of those points and how Nepal distinguished castes from ethnic groups.

43. With regard to the cultural identity of ethnic groups referred to in paragraph 25 of the report and paragraph 3 of the core document (HRI/CORE/1/Add.42), he asked whether there were radio broadcasts in ethnic languages and whether children belonging to ethnic groups could receive instruction in their community's language. He would like to have additional information and explanations about the development programmes being implemented in Chitawn for the Praja ethnic group.

44. Referring to the Devis, who were exposed to prostitution like their mothers, the Deukis (para. 99), as a direct result of the Deuki system, since a person became a Devi by birth, he said that Nepal could no longer tolerate the existence of that system, which was incompatible with the provisions of the Convention.

45. Mr. DIACONU said that he was grateful to the Nepalese delegation for the honesty with which it had reported on the situation in Nepal, thereby proving that the country had the political will to solve its problems. Some of the problems, such as those relating to the implementation of policies and programmes, could be explained by the lack of resources, but also by age-old sociocultural traditions.

46. Referring to the judiciary, he requested further information on the jurisdiction of the courts. Paragraph 38 stated that an individual remedy could not be invoked directly in the Supreme Court, whereas, according to paragraph 50, the Constitution allowed any citizen to exercise the right to a remedy by filing a petition in the Supreme Court. What actually happened in practice?

47. The Constitution seemed to prohibit only discrimination based on caste membership. However, article 3 of the Convention required States to prevent, prohibit and eliminate all discriminatory practices.

48. He was not sure that all the legislative and other possible measures had been taken to ensure that the provisions of article 4 were fully respected. In addition, Nepal had entered a reservation in that regard. In his opinion, the Government might consider the possibility of adopting specific laws to give effect to the provisions of that article. He recalled that, in 1990, Nepal had adopted a law under which international treaties took precedence over internal law. He therefore wondered whether the reservation continued to serve any purpose and whether the Government might not consider withdrawing it. The reservation made by Nepal to article 6 of the Convention also now seemed to be pointless, since the Supreme Court had extremely broad powers to match a remedy to the wrong adjudged (para. 170).

49. Mr. van BOVEN said that he agreed with Mr. Nobel's analysis and with the questions asked by the preceding speakers. He particularly wished to commend Nepal on its honest report, which went to the heart of the situation and the country's problems.

50. He categorically affirmed that the caste system came directly within the scope of the Convention because it was a fundamentally discriminatory system which was based on descent and was being carried on. The system had, of course, been abolished in principle, but the practice remained and was found at all levels of society: in education, in political life and in the system of justice, inter alia. He took note of the measures which had been adopted on behalf of underprivileged groups and to which the Government was, moreover, bound under the Constitution (para. 121 of the report). He pointed out that discrimination based on caste was often combined with double, if not triple discrimination based on sex and age, as shown, for example, by the problems raised by the Deuki system, which forced certain girls into prostitution. That was an iniquitous system, even if the Government was trying to remedy it.

51. While he welcomed the increased role played by non-governmental organizations, he warned against disinvolvement by the State in the field of human rights.

52. He also welcomed, and emphasized the importance of, the judgement in which the Supreme Court had invalidated legislation that discriminated against untouchables (para. 52).

53. He regretted that there was not enough information on the report to enable the Committee to determine to what extent the provisions of articles 4 and 6 were being respected. He was of the opinion that Nepal might withdraw the reservations that it had formulated to those two articles because those reservations had a restrictive effect on the implementation of the Convention.

54. Referring to the statement that the people of Nepal were not fully aware of their rights, something that would prevent the fuller implementation of the provisions of the Convention, he requested that measures should be taken with

a view to disseminating the Convention and the Committee's conclusions more widely. He also asked about the functions of the recently established, but still virtual, National Human Rights Commission.

55. He invited Nepal to ratify the amendment to article 8, paragraph 6, of the Convention and to consider the possibility of making the declaration under article 14.

56. Mr. de GOUTTES, recalling that, in March 1997, the Committee had considered the situation in Nepal in the absence of a report and had requested the Government to submit a report as soon as possible, said that the Government was to be commended on the rich and interesting report which it had now submitted and which reflected the specificity and complexity of the country's social traditions. He paid tribute to the honesty and frankness of the report, in which frequent reference was made to the difficulties being encountered in implementing the Convention. He also noted with pleasure that non-governmental organizations were playing an increased role. While he welcomed the dissemination of the report in the country, he would like to know why it was being disseminated by the Ministry of Women.

57. Referring to articles 3 and 4 of the Convention (paras. 83 to 86), he requested further details on the role of district chiefs who were responsible for investigating complaints of racial discrimination. He asked how jurisdiction was divided up among such district chiefs and the courts. The fact that discrimination based on caste or untouchability was an offence was positive, but the report did not refer to any proceedings or judgements. He therefore requested details on the scope of that provision.

58. He also wished to have more details of the distinctions between ethnic groups, castes, indigenous peoples and classes. Did the Government recognize that the caste system came within the scope of the Convention, as the Committee thought?

59. He noted that untouchability had been declared illegal in 1963 and that the practice had been punishable since 1990. He asked what measures had been taken to prevent such practices from being carried on and, referring to the judgement in which the Supreme Court had invalidated a legislative text deemed discriminatory, asked whether it had been followed by other similar decisions.

60. Certain practices, such as the caste system, the Deuki system, bonded labour and the prostitution imposed on the Badi group, and the provisions of the Convention were entirely incompatible. The Committee would keep a close watch on the development of those practices. He would like further details about the Human Rights Commission which had been established in 1997, but which was apparently not yet in operation. He requested information on its composition and jurisdiction.

61. Mr. SHAHI welcomed Nepal's honest report, which was quite the opposite of the pleadings on their own behalf contained in the reports of too many other States parties. He also commended Nepal on having acceded to the International Covenant on Economic, Social and Cultural Rights. That was a sign of the country's political will to protect human rights, as well as of the fact that it was banking on the future.

62. He agreed with the comments made and questions asked by the preceding speakers and, like some of them, wished to have more specific information on the ethnic composition of the population, particularly the four castes and the 36 classes. He welcomed the adoption of the Muluki Ain (National Code) in 1963, which had officially put an end to any form of discrimination.

63. While Nepal was willing to go beyond certain discriminatory sociocultural traditions, as shown by measures on behalf of underprivileged groups, which could only be welcomed, promises and wishes were not enough to guarantee the implementation of the provisions of the Convention. More specific laws and measures were needed.

64. He asked whether the different religious communities had specific laws relating to marriage, inheritance and personal matters in general or whether the Muluki Ain applied uniformly to all inhabitants.

65. Mr. RAM SIMKHADA (Nepal), replying to Mr. Nobel, said that the Bhutanese refugee problem was one of the most serious that Nepal faced at the present time. The Government had established a dialogue with the Bhutanese authorities so that the 100,000 refugees could return home. Unfortunately, that dialogue had so far not produced any results. Nepal had already appealed to the international community and, in particular, to human rights organizations to take measures to repatriate those refugees.

66. He had taken note of the questions the members of the Committee had asked about the demographic composition of Nepal and would communicate them to the authorities of his country.

67. Referring to the comment by Mrs. Zou, who had been surprised that paragraph 32 of the report stated that Nepal's human rights record was recognized as one of the best in Asia, he said that the authors of the report had not intended to give themselves unjustified credit. Instead, they had referred at length to the serious human rights problems that still existed in Nepal. That statement merely reflected the conclusions of a number of international human rights organizations.

68. In order to guarantee the independence of the Human Rights Commission, the law provided that it would report only to the Parliament. There had been some delay in the selection of its members because of frequent changes within the Government. He had taken note of the fact that the Committee would like that Commission to have broad powers and the necessary immunity to investigate any cases of human rights violations that were brought to its attention.

69. With regard to underprivileged groups, about 42 per cent of the Nepalese population lived below the poverty line. He recalled that the Government had established various programmes to improve the standard of living of those persons, such as the programme to improve living conditions of the Rautes and the programme in favour of bonded labourers.

70. In legal terms, the caste system had been totally abolished in Nepal. A landmark ruling by the Supreme Court on questions relating to caste-based discrimination had thus invalidated legislation which would have had the effect of denying untouchables access to temples and other religious sites.

71. The comments by the members of the Committee on the dissemination of their conclusions and Nepal's reservations to the Convention would be communicated to the Nepalese authorities.

72. Mr. NOBEL (Country Rapporteur) said that the Government had rightly emphasized socio-economic development and the improvement of the system of education. It had, however, perhaps not adopted all the necessary legislative measures. He hoped that Nepal would catch up in that area.

73. The CHAIRMAN said that he agreed with several of the members of the Committee who had welcomed the fair and honest way in which Nepal had recognized and analysed the problems it was encountering in respect of racial questions. In its report, unlike many of the reports submitted to the Committee, the Government of Nepal was not trying to conceal the fact that it bore a share of the responsibility. Despite many difficulties, however, tangible results had been achieved.

74. He thanked the delegation of Nepal and said that the Committee had thus completed its consideration of the ninth to thirteenth periodic reports of Nepal.

75. The delegation of Nepal withdrew.

CONSIDERATION OF COPIES OF PETITIONS, COPIES OF REPORTS AND OTHER INFORMATION RELATING TO TRUST AND NON-SELF-GOVERNING TERRITORIES AND TO ALL OTHER TERRITORIES TO WHICH GENERAL ASSEMBLY RESOLUTION 1514 (XV) APPLIES, IN CONFORMITY WITH ARTICLE 15 OF THE CONVENTION (agenda item 8) (continued)

CERD/C/53/Misc.29

76. The CHAIRMAN invited the members of the Committee to resume their consideration of paragraph 8 of the document prepared by Mr. van Boven on article 15 of the Convention (CERD/C/53/Misc.29)

Paragraph 8 (a)

77. Mr. van BOVEN proposed that, in the light of the comments made by the members of the Committee at the preceding meeting (CERD/C/SR.1291), paragraph 8 (a) of document CERD/C/53/Misc.29 should be amended to read:

> "Since the Committee on the Elimination of Racial Discrimination has again not received copies of any petition pursuant to paragraph 2 (a) of article 15, it requests the Secretary-General to clarify the reasons therefor. In case pertinent petitions exist, the Committee requests the Secretary-General that it be provided with copies of these petitions and any other information relevant to the objectives of the Convention and available to him regarding the territories mentioned in paragraph 2 (a) of article 15."

78. Paragraph 8 (a), as amended, was adopted.

Paragraph 8 (b)

79. Mr. van BOVEN suggested that the words "to the Committee" in the second line should be replaced by the words "by the Secretary-General to the Committee on the Elimination of Racial Discrimination".

80. Paragraph 8 (b), as amended, was adopted.

Paragraph 8 (c)

81. Paragraph 8 (c) was adopted.

82. Document CERD/C/53/Misc.29, as a whole, as orally amended, was adopted.

The meeting rose at 6.05 p.m.